

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
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FM AMEMBASSY THE HAGUE
TO SECSTATE WASHDC PRIORITY 1762
INFO AMEMBASSY BONN
AMEMBASSY BRUSSELS

C O N F I D E N T I A L THE HAGUE 6381

E.O. 11652: GDS
TAGS: PINS, PINR, GW, NL
SUBJECT: RED ARMY FACTION MEMBER FOLKERTS SENTENCED; BONN ASKS
FOR FOLKERTS, WACKERNAGEL AND SCHNEIDER

REF: THE HAGUE 5751; THE HAGUE 6199

1. WEST GERMAN URBAN GUERRILLA KNUT FOLKERS WAS FOUND GUILTY ON DECEMBER 20 OF MURDERING A DUTCH DETECTIVE IN SEPTEMBER AND WAS SENTENCED TO PRISON FOR TWENTY YEARS. IN THE NETHERLANDS, WHERE JAIL SENTENCES ARE TYPICALLY LIGHT, THE TWENTY YEAR TERM HANDED DOWN BY THE THREE JUDGE PANEL CLEARLY UNDERSCORES GON DETERMINATION TO DEAL FIRMLY WITH TERRORISTS.
2. THE PRESIDING JUDGE REJECTED ARGUMENTS BY FOLKERTS' LAWYER (THE HAGUE 6199) THAT BECAUSE FOLKERTS WAS AS A RAF MEMBER FIGHTING A WAR AGAINST US AND FRG IMPERIALISM, HE SHOULD BE COVERED BY THE GENEVA CONVENTION ON THE RULES OF WAR. BUT, IN GOOD DUTCH STYLE, THE JUDGE LEFT "OPEN THE QUESTIONS OF WHETHER THE OBJECTIONS OF RAF AGAINST US AND FRG POLICY CONTAIN ANY TRUTH."

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3. THE DUTCH GOVERNMENT NOW HOLDS EXTRADITION REQUESTS FROM WEST GERMANY FOR FOLKERTS AND TWO OTHER RAF MEMBERS, CHRISTOF WACKERNAGEL AND GERT SCHNEIDER, WHO WERE CAPTURED AFTER A GUN-FIGHT IN AMSTERDAM IN NOVEMBER (THE HAGUE 5751). WACKERNAGEL AND SCHNEIDER ARE IN A DUTCH PRISON HOSPITAL RECOVERING FROM GUNSHOT WOUNDS. ALTHOUGH WACKERNAGEL'S EXTRADITION HEARING IS SCHEDULED FOR JANUARY 15, ACCORDING TO A SENIOR JUSTICE MINISTRY

PROSECUTION OFFICIAL, THE NETHERLANDS MAY DECIDE TO HANDLE EXTRADITION REQUESTS OF ALL THREE TERRORISTS AT THE SAME TIME. SIMULTANEOUS EXTRADITION WOULD MEAN WAITING FOR SCHNEIDER TO REGAIN HIS HEALTH BUT THE FACT THAT FOLKERTS HAS ALREADY BEEN SENTENCED WOULD POST NO PROBLEM. IN OTHER WORDS, FOLKERTS WOULD NOT NECESSARILY HAVE TO SERVE HIS SENTENCE BEFORE BEING EXTRADITED. CAUTIONING THAT A POLITICAL DECISION STILL HAD TO BE MADE BY THE GOVERNMENT, THE OFFICIAL ALSO THOUGHT THAT WACKERNAGEL AND SCHNEIDER WOULD NOT FACE TRIAL BEFORE THEIR PROBABLE DEPORTATION.

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